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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No. 400 of 2007

Friday, this the 20th day of April, 2007

**Hon'ble Mr. Justice Khem Karan, Vice Chairman
Hon'ble Mr. K.S. Menon, Administrative Member**

Vyas Muni, aged about 45 years Son of Late Girja Shanker, resident of Village Gram Sarai Khurd, Post Achola, Tahsil Meja, District Allahabad.

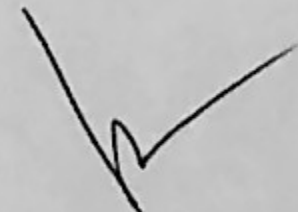
Applicant

By Advocate Sri Satish Dwivedi

Versus

1. Union of India through the General Manager, East Central Railway, Hajipur, Bihar.
2. The General Manager, East Central Railway, Hajipur, Bihar.
3. The Chief Security Commissioner, East Central Railway, Hajipur, Bihar.
4. The Sr. Divisional Security Commissioner, East Central Railway, Mugalsarai Division, Mugalsarai.
5. The Divisional Railway Manager, East Central Railway, Mugalsarai Division, Mugalsarai.
6. The Divisional Personnel Officer, East Central Railway, Mugalsarai Division, Mugalsarai.
7. Sri Adil Ali, son of Sri A.A. Ansari, posted as Senior Clerk in the Office of Senior Divisional Security Commissioner, East Central Railway, Mugalsarai Division, Mugalsarai.

Respondents



(3)

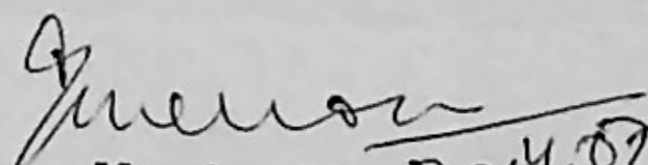
ORDER**By Justice Khem Karan, V.C.**

The applicant has prayed that the respondents be asked to give appointment and posting to him in Clerk Grade II in the pay scale of Rs.3050-4590/- w.e.f. 03.10.2001 or in the alternative from the date such appointment was given to Sri Adil Ali.

2. The applicant has come with a case that he was medically decategorised in the year 2001 and under the relevant rules and regulations he was to be accommodated in alternative clerical grade in which he was appointed on 10th May 2006. His grievance is that though Sri Adil Ali, junior to him in the cadre (from which he was medically decategorised) was also medically decategorised but the respondents gave him appointment in Clerk Grade II in the year 2003 itself and consequently he got promotion as well in the year 2004. The applicant says that he has already given representation dated 26.06.2006 (annexure A-14) to the Chief Security Commissioner, RPF/E.C. Railway, Hazipur but, he has passed no order to the knowledge of the applicant.

3. We think it would be appropriate if this O.A. itself is disposed of with suitable direction to the respondent no.3 to consider the representation dated 26.06.2006 (annexure A-14) in accordance with the relevant rules and guide lines on the subject and pass suitable orders within the time to be specified by this Tribunal. There is no point in keeping this O.A. pending when the purpose can be achieved by directing the disposal of representation.

4. So, the O.A. is disposed of at the admission stage with a direction to the respondent no.3 to consider and dispose of the representation dated 26.06.2006 (annexure A-14) in accordance with rules/guide lines on the subject within a period of three months from the date a certified copy of this Order together with a copy of this O.A. is produced before him. No order as to costs.


Member (A) 20.4.07


Vice Chairman

/M.M./